

01/08/2002

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

S100-DIV2

First Inventor

Greenberg

Title

Retinal Color Prosthesis for color sight restoration

Express Mail Label No.

EL 516 675 931 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages **78**]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **32**]
5. Oath or Declaration [Total Pages **3**]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76
7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/515/373
Prior application information: Examiner **F. Oropeza**Group / Art Unit **3762**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Labelor ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	Second Sight, LLC				
	28284				
	PATENT, TRADEMARK OFFICE				
Address	P.O. Box 905				
City	Santa Clarita	State	California	Zip Code	91380-9005
Country	USA	Telephone	661-775-3995 ext. 3129	Fax	661-775-1595

Name (Print/Type)	Scott B. Dunbar	Registration No. (Attorney/Agent)	37,124
Signature		Date	10/18/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

10/18/01

11017 U.S. PTO

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number --
Filing Date --
First Named Inventor Greenberg
Examiner Name --
Group Art Unit --
Attorney Docket No. S100-DIV2

TOTAL AMOUNT OF PAYMENT

\$520.00

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-0922
Deposit Account Name Second Sight, LLC

- ☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17
☒ Applicant claims small entity status. See 37 CFR § 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		101	740	201	370	Utility filing fee	370.00
		106	330	206	165	Design filing fee	
		107	510	207	255	Plant filing fee	
		108	740	208	370	Reissue filing fee	
		114	160	214	80	Provisional filing fee	
SUBTOTAL (1)							\$370.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
32	-20** = 12	X 9.00 =	108.00
Independent Claims	4 - 3** = 1	X 42.00 =	42.00
Multiple Dependent			

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		103	18	203	9	Claims in excess of 20	
		102	84	202	42	Independent claims in excess of 3	
		104	280	204	140	Multiple dependent claim, if not paid	
		109	84	209	42	** Reissue independent claims over original patent	
		110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)							\$150.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		105	130	205	65	Surcharge - late filing fee or oath	
		127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
		139	130	139	130	Non - English specification	
		147	2,520	147	2,520	For filing a request for ex parte reexamination	
		112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
		115	110	215	55	Extension for reply within first month	
		116	400	216	200	Extension for reply within second month	
		117	920	217	460	Extension for reply within third month	
		118	1,440	218	720	Extension for reply within fourth month	
		128	1,960	228	980	Extension for reply within fifth month	
		119	320	219	160	Notice of Appeal	
		120	320	220	160	Filing a brief in support of an appeal	
		121	280	221	140	Request for oral hearing	
		138	1,510	138	1,510	Petition to institute a public use proceeding	
		140	110	240	55	Petition to revive - unavoidable	
		141	1,280	241	640	Petition to revive - unintentional	
		142	1,280	242	640	Utility issue fee (or reissue)	
		143	460	243	230	Design issue fee	
		144	620	244	310	Plant issue fee	
		122	130	122	130	Petitions to the Commissioner	
		123	50	123	50	Processing fee under 37 CFR § 1.17(q)	
		126	180	126	180	Submission of Information Disclosure Statement	
		581	40	581	40	Recording each patent assignment per property (times number of properties)	
		146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
		179	740	279	370	Request for Continued Examination (RCE)	
		169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)							

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

SUBMITTED BY

Name (Print/Type)	Registration No. (Attorney/Agent)	Telephone
Scott B. Dunbar	37,124	661-775-3995 ext. 3129
Signature	Date	10/18/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

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CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **Greenberg, et al.**

Docket No.

S100-DIV2

Serial No.

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Filing Date

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Examiner

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Group Art Unit

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JC937 J.S. PRO
10/18/01

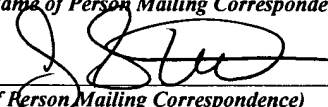
10/18/01

Invention: **RETINAL COLOR PROSTHESIS FOR COLOR SIGHT RESTORATION**

I hereby certify that the following correspondence:

Divisional Patent Application*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

10/18/2001*(Date)*Emily M. Stuart*(Typed or Printed Name of Person Mailing Correspondence)*
*(Signature of Person Mailing Correspondence)*EL 516 675 931 US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**